

E-002/CN-91-19 ORDER GRANTING RECONSIDERATION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Marshall Johnson
Cynthia A. Kitlinski
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of an Application for a Certificate
of Need for Construction of an Independent
Spent Fuel Storage Facility

ISSUE DATE: October 20, 1994

DOCKET NO. E-002/CN-91-19

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PROCEDURAL HISTORY

On September 9, 1994, the Commission issued its ORDER MODIFYING RADIATION MONITORING PLAN in the above-captioned matter.

On September 30, 1994, Northern States Power Company (NSP) filed a petition for reconsideration of the September 9 Order.

On October 10 and October 17, 1994, the Department of Health filed comments.

On October 11, 1994, NSP filed a document it termed "newly discovered evidence and a request for staff investigation."

FINDINGS AND CONCLUSIONS

Under Minn. Stat. § 216B.27, subd. 4 (1992), any application for rehearing not granted within 20 days of filing is deemed denied. The Commission believes adequate review of this petition will require more than 20 days. The Commission will therefore grant the petition for the purpose of allowing it careful review.

By notice to the parties, the Commission will set a schedule for comments from the parties on the appropriateness of considering new evidence at this stage of the proceeding, and for comments on the request that a staff investigation regarding this evidence be conducted.

ORDER

1. NSP's petition for reconsideration is granted for the purpose of tolling the statutory time period.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)